

Page 47,

Line 1, change "[Nemerial" to --[Numerical--.

Page 49,

Line 22, change "light, a" to --light. A--.

Page 61,

Line 22, after "coincide" insert --with--.

Page 62,

Line 14, change "overflow" to --overflows--.

#### REMARKS

Favorable consideration of the subject application are respectfully solicited.

Claims 11 through 34 are pending, with Claims 11, 15, 19, 23, 37, and 31 being independent. The specification has been amended to include changes made in parent Application No. 08/959,285.

#### DISCUSSION REGARDING INTERVIEW

Applicant wishes to thank the Examiner for courtesies extended during a personal interview on March 29, 2000. During the interview, Applicant's representative and the Examiner discussed the proposed interference, and Applicant understands that the Examiner is in tentative

agreement with the instant Request. Favorable consideration is earnestly solicited.

#### REQUEST FOR INTERFERENCE

Pursuant to 37 CFR 1.607, Applicant respectfully requests that an interference be declared involving Claims 11 through 34 of the present application of Shoichi Yamazaki, et al. ("Yamazaki") and Claims 13 through 17 of U.S. Patent No. 5,768,024 (the "'024 Patent") to Koichi Takahashi ("Takahashi").

#### A. The Count

Applicant respectfully proposes that the interference be declared with two counts. The proposed counts are identical to Yamazaki Claims 15 and 18, respectively. In this regard, it will be appreciated that as the latter claim is dependent from the former, Count 2 has been formulated upon the basis of Yamazaki Claim 18 as rewritten in independent form. The counts are set forth as follows:

#### COUNT 1

An image display apparatus comprising:  
an image display device having a display surface for displaying an image; and  
an ocular optical system having

a first surface provided at a position which faces an observer's eyeball,

a second surface disposed to face said first surface such that a spacing between said first and second surfaces gradually increases toward said image display device from the observer's visual axis,

a third surface provided so that said third surface faces the display surface of said image display device, and that one end of said third surface intersects an extension of said first surface, and the other end of said third surface intersects an extension of said second surface, and a medium which is surrounded by said first, second and third surfaces, and which has a refractive index ( $n$ ) larger than 1 ( $n > 1$ );

said second surface being a reflecting surface that reflects light rays in said ocular optical system, wherein optical power of said second surface varies in accordance with an azimuth angle.

#### COUNT 2

An image display apparatus comprising:

an image display device having a display surface for displaying an image; and

an ocular optical system having

a first surface provided at a position which faces an observer's eyeball,

a second surface disposed to face said first surface such that a spacing between said first and second

surfaces gradually increases toward said image display device from the observer's visual axis,

a third surface provided so that said third surface faces the display surface of said image display device, and that one end of said third surface intersects an extension of said first surface, and the other end of said third surface intersects an extension of said second surface, and a medium which is surrounded by said first, second and third surfaces, and which has a refractive index ( $n$ ) larger than 1 ( $n > 1$ );

said second surface being a reflecting surface that reflects light rays in said ocular optical system, wherein optical power of said second surface varies in accordance with an azimuth angle,

wherein said third surface of said ocular optical system has a concave surface directed toward said image display device.

#### B. Correspondence of Claims to Counts

##### Count 1

Applicant respectfully submits that Takahashi Claims 13 through 16 and Yamazaki Claims 11 through 13, 15 through 17, 19 through 21, 23 through 25, 27 through 29, and 31 through 33 correspond to Count 1 as follows:

##### (1) Yamazaki Claim 15

Yamazaki Claim 15 is identical to Count 1.

(2) Yamazaki Claims 16 and 17

Yamazaki Claim 16 differs from Count 1 in that Yamazaki Claim 16 further recites a see-through optical element provided at a side of the ocular optical system which is remote from the observer's eyeball, the see-through optical element having a fourth surface facing the second surface of the ocular optical system, the see-through optical element further having a medium which has a refractive index (n) larger than 1 ( $n > 1$ ) and a fifth surface provided to face the fourth surface across the medium.

Yamazaki Claim 17 differs from Count 1 in that Yamazaki Claim 17 recites the see-through optical element discussed above with respect to Yamazaki Claim 16, and further recites that the see-through optical element is cemented to the ocular optical system.

However, such see-through optical elements were known in the art, as shown by U.S. Patent Nos. 4,775,217 (Ellis) and 5,546,227 (Yasugaki, et al.). The former patent, which was cited in the Information Disclosure Statement filed June 16, 1999, discloses an eyepiece part 57 (e.g., Figs. 4 and 8), while the latter patent, which was cited in the Second Information Disclosure Statement filed December 15, 1999, shows the use of negative lens L' (Fig. 45). Applicant respectfully submits that it would have been obvious to provide the system of Count 1 with such see-through optical elements to arrive at the system of Yamazaki Claim 16 so that, as explained by Ellis, the observer could view a

projected image superimposed with an image from the outside world (e.g., col. 4, lines 41 through 46), or, as explained by Yasugaki, et al., the observer may view the outside world (e.g., col. 26, line 62). With respect to Yamazaki Claim 17, while Ellis does not expressly state that the eyepiece part 57 is cemented to the eyepiece part 55, they are depicted as being connected. Because cementing would have been a known expedient in this regard, Applicant respectfully submits that Yamazaki Claim 17 also would have been obvious in view of Count 1.

(3) Yamazaki Claims 27 through 29

Yamazaki Claims 27 through 29 have been formulated upon the basis of Yamazaki Claims 15 through 17, but further recite (a) a face-mounted unit body having an image display device disposed in front of an observer's face with a display surface thereof directed toward an observer's visual axis so that a line normal to the display surface intersects an observer's visual axis and (b) a support member for supporting the face-mounted unit body on an observer's head so that the face-mounted unit body is held fit to the observer's face.

These features are shown by Ellis, which discloses a helmet mounted system supported in front of the observer's face (e.g., Figs. 1 through 5) and an image display system (e.g., Fig. 9), and it would have been obvious to provide the same in the system of Count 1 to allow the observer to

comfortably view a projected image superimposed with an image from the outside world.

For these reasons and those advanced with respect to Yamazaki Claims 15 through 17, Yamazaki Claims 27 through 29 would have been obvious in view of Count 1.

(4) Yamazaki Claims 11 through 13, 19 through 25, and 31 through 33

Yamazaki Claims 11 through 13, 19 through 25, and 31 through 33 have been formulated upon the basis of Yamazaki Claims 15 through 17 or 27 through 29, but instead of reciting that the optical power of the second surface varies in accordance with an azimuth angle as in Count 1, they recite either:

(a) that the second surface has such a surface configuration that a surface configuration in a plane (YZ-plane) containing light rays turned back by the reflecting surface is different from a surface configuration in a XZ-plane perpendicular the YZ-plane; or

(b) the second surface is an anamorphic surface.

These recitations constitute species falling within the generic recitation in Count 1 that the optical power of the second surface varies in accordance with an azimuth angle. Because these recitations relate to salient axes of the system, they would have been obvious in view of Count 1 absent unexpectedly improved results.

For this reason, and the reasons advanced above with respect to Yamazaki Claims 15 through 17 and 27 through

29, Yamazaki Claims 11 through 13, 19 through 25, and 31 through 33 would have been obvious in view of Count 1.

(5) Takahashi Claim 13

Takahashi Claim 13 is identical to Yamazaki Claim 23. Accordingly, as discussed above with respect to the latter claim, the former claim differs from Count 1 in that it further recites:

(a) a face-mounted unit body having an image display device disposed in front of an observer's face with a display surface thereof directed toward an observer's visual axis so that a line normal to the display surface intersects an observer's visual axis;

(b) a support member for supporting the face-mounted unit body on an observer's head so that the face-mounted unit body is held fit to the observer's face; and

(c) that the second surface has such a surface configuration that a surface configuration in a plane (YZ-plane) containing light rays turned back by the reflecting surface is different from a surface configuration in a XZ-plane perpendicular the YZ-plane.

For the reasons discussed above with respect to Yamazaki Claim 23 (i.e., recitations (a) and (b) are conventional as shown by Ellis, whilst recitation (c) is a salient species falling within the generic recitation in Count 1 that the optical power of the second surface varies



in accordance with an azimuth angle), Takahashi Claim 13 would have been obvious in view of Count 1.

(6) Takahashi Claims 14 through 16

Takahashi Claims 14 through 16 differ from Count 1 in that they recite recitations (a) through (c), as discussed above with respect to Takahashi Claim 13, and further recite:

(d) a see-through optical element provided at a side of the ocular optical system which is remote from the observer's eyeball, the see-through optical element having a fourth surface disposed according to one of A and B, such that A said fourth surface is in substantially uniform contact with the second surface, and B said fourth surface is proximate to and facing the second surface of the ocular optical system, the see-through optical element further having a medium which has a refractive index ( $n$ ) larger than 1 ( $n > 1$ ) and a fifth surface provided to face the fourth surface across the medium; and

(e) a see-through switching shutter disposed at a position which is on the observer's visual axis, and which faces the fifth surface of said see-through optical element, with Takahashi Claims 15 and 16 further requiring, respectively:

(f) that the see-through optical element is provided to face the ocular optical system across an air spacing; and

(g) the see-through optical element is cemented to the ocular optical system.

For reasons analogous to those advanced above with respect to Yamazaki Claims 16 and 17 and Takahashi Claim 13, and in view of the facts that (A) providing the see-through optical element at a position either (1) substantially in contact with, (2) cemented to, (3) proximate to, or (4) across an air spacing from the second surface would constitute obvious rearrangements absent a showing of unexpectedly improved results (in view of U.S. Patent No. 5,671,062 (Nakamura) or Japanese Laid-Open Patent Application No. 4-343313, which show lenses being either joined to or separated from one another), and (B) it was known in the art to provide shutters as shown by U.S. Patent No. 5,546,227 (Yasugaki, et al.) (e.g., Fig. 45, element 20; col. 26, lines 63 and 64), Applicant respectfully submits that recitations (a) through (g) above do not constitute patentably distinguishing features and thus Takahashi Claims 14 through 16 would have been obvious in view of Count 1.

#### Count 2

(1) Yamazaki Claim 18

Yamazaki Claim 18 is identical to Count 2.

(2) Yamazaki Claim 30

Yamazaki Claim 30 has been formulated upon the basis of Yamazaki Claim 18, but as compared with that claim

or with Count 2 further recites (a) a face-mounted unit body having an image display device disposed in front of an observer's face with a display surface thereof directed toward an observer's visual axis so that a line normal to the display surface intersects an observer's visual axis and (b) a support member for supporting the face-mounted unit body on an observer's head so that the face-mounted unit body is held fit to the observer's face.

These features are shown by Ellis, which discloses a helmet mounted system supported in front of the observer's face (e.g., Figs. 1 through 5) and an image display system (e.g., Fig. 9), and it would have been obvious to provide the same in the system of Count 2 to allow the observer to comfortably view a projected image superimposed with an image from the outside world.

For these reasons and those advanced with respect to Yamazaki Claim 18, Yamazaki Claim 30 would have been obvious in view of Count 2.

(3) Yamazaki Claims 14, 22, 26, and 34

Yamazaki Claims 14, 22, 26, and 34 have been formulated upon the basis of Yamazaki Claims 18 or 30, but instead of reciting that the optical power of the second surface varies in accordance with an azimuth angle as in Count 2, they recite either:

(a) that the second surface has such a surface configuration that a surface configuration in a plane

(YZ-plane) containing light rays turned back by the reflecting surface is different from a surface configuration in a XZ-plane perpendicular the YZ-plane; or

(b) the second surface is an anamorphic surface.

These recitations constitute species falling within the generic recitation in Count 2 that the optical power of the second surface varies in accordance with an azimuth angle. Because these recitations relate to salient axes of the system, they would have been obvious in view of Count 2 absent unexpectedly improved results.

For this reason, and the reasons advanced above with respect to Yamazaki Claims 18 and 30, Yamazaki Claims 14, 22, 26, and 34 would have been obvious in view of Count 2.

(4) Takahashi Claim 17

Takahashi Claim 17 is identical to Yamazaki Claim 26. Repeating the analysis for the latter claim, Takahashi Claim 17 differs from Count 2 in that it further recites:

(a) a face-mounted unit body having an image display device disposed in front of an observer's face with a display surface thereof directed toward an observer's visual axis so that a line normal to the display surface intersects an observer's visual axis;

(b) a support member for supporting the face-mounted unit body on an observer's head so that the

face-mounted unit body is held fit to the observer's face;  
and

(c) that the second surface has such a surface configuration that a surface configuration in a plane (YZ-plane) containing light rays turned back by the reflecting surface is different from a surface configuration in a XZ-plane perpendicular the YZ-plane.

For the reasons discussed above with respect to Yamazaki Claim 26 (i.e., recitations (a) and (b) are conventional as shown by Ellis, whilst recitation (c) is a salient species falling within the generic recitation in Count 2 that the optical power of the second surface varies in accordance with an azimuth angle), Takahashi Claim 17 would have been obvious in view of Count 2.

#### C. Support for Yamazaki Claims

The following establishes that the terms of Yamazaki Claims 11 through 34 are supported by the present application.

Applicant first will address Yamazaki Claims 15 through 18, and then will discuss the remaining Yamazaki claims, which were formulated upon the basis of the former claims.

##### (1) Yamazaki Claim 15

Yamazaki Claim 15 is an independent claim and is supported as shown by the following Table A:

TABLE A

<u>Yamazaki Claim 15</u>	<u>Present Application</u>
[15(a)] An image display apparatus comprising:	[15(a)] A display device is disclosed. See, e.g., p. 1, lines 7-8; p. 2, line 27; p. 3, line 12; p. 6, line 7.
[15(b)] an image display device having a display surface for displaying an image; and	[15(b)] The display device includes a display means 4 composed of, for example, a liquid crystal display (LCD) device. See, e.g., p. 6, lines 9 through 11; Figs. 1A through 5B.
[15(c)] an ocular optical system having	[15(c)] The display device also includes an optical system 3. See, e.g., p. 8, line 26.
[15(d)] a first surface provided at a position which faces an observer's eyeball,	[15(d)] A totally reflecting face 1 is included in the optical system. See, e.g., p. 6, lines 16, 17, 20, and 21; Figs. 1A through 5B.
[15(e)] a second surface disposed to face said first surface such that a spacing between said first and second surfaces gradually increases toward said image display device from the observer's visual axis,	[15(e)] A concave mirror 2 is also included in the optical system. See, e.g., p. 6, lines 18 and 19; p. 7, lines 18 through 24; p. 10, lines 3 through 8; Figs. 1A through 5B.
[15(f)] a third surface provided so that said third surface faces the display surface of said image display device, and that one end of said third surface intersects an extension of said first surface, and the other end of said third surface intersects an extension of said second surface, and	[15(f)] A light entrance face 5 is also included in the optical system. See, e.g., p. 11, line 25; Figs. 1A through 5B.

<p>[15(g)] a medium which is surrounded by said first, second and third surfaces, and which has a refractive index (n) larger than 1 (<math>n &gt; 1</math>);</p>	<p>[15(g)] A first optical member 3a of the optical system is provided with the totally reflecting face 1, the concave mirror 2, and the light entrance face 5, and is made of, e.g., acrylic resin or glass. See, e.g., p. 6, lines 11 through 14; p. 17, lines 4 through 6; Figs. 1A through 5B.</p>
<p>[15(h)] said second surface being a reflecting surface that reflects light rays in said ocular optical system, wherein optical power of said second surface varies in accordance with an azimuth angle.</p>	<p>[15(h)] The concave mirror 2 has optical power depending on the azimuthal angle and may be, for example, a toric or anamorphic surface. See, e.g., p. 7, lines 18 through 24; p. 10, lines 3 through 8; p. 10, line 23 through p. 11, line 24; p. 16, lines 15 through 26.</p>

(2) Yamazaki Claim 16

Claim 16 depends from Claim 15 and further recites that a see-through optical element provided at a side of the ocular optical system remote from the observer's eyeball. The see-through optical system has a fourth surface facing the second surface, a medium having a refractive index greater than one, and a fifth surface facing the fourth surface across the medium. These features are supported by the disclosure that the optical system further comprises a second optical member 3b. See, e.g., page 6, line 14; p. 17, lines 4 through 6; Figs. 1A through 5B.

(3) Yamazaki Claim 17

Yamazaki Claim 17 depends from Yamazaki Claim 16 and further recites that the see-through optical element is

cemented to the ocular optical system. Support may be found at, e.g., p. 50, lines 10 through 12, which states that the first and second optical members are adhered together.

(4) Yamazaki Claim 18

Yamazaki Claim 18 depends from Yamazaki Claim 15 and further recites that the third surface has a concave surface directed toward the image display device. Applicant respectfully submits that this feature finds support at least in Numerical Examples 2 through 4, 7, and 9, wherein for the surface  $i=5$ , the radius of curvature has a positive sign in each of the orthogonal planes (XZ plane and YZ plane), and thus the surface is convex with respect to the traveling direction of the reverse trace beam (from the eyeball of an observer toward the display surface), or, in other words, concave directed to the display surface.

(5) Yamazaki Claims 27 through 30

Yamazaki Claims 27 through 30 have been formulated upon the basis of Yamazaki Claims 15 through 18, but further recite (a) a face-mounted unit body having an image display device disposed in front of an observer's face with a display surface thereof directed toward an observer's visual axis so that a line normal to the display surface intersects an observer's visual axis and (b) a support member for supporting the face-mounted unit body on an observer's head



so that the face-mounted unit body is held fit to the observer's face.

Applicant respectfully submits that these features are supported by the disclosure of a head-mounted system at, e.g., p. 23, lines 1 through 4; p. 36, lines 14 through 17 and 24 through 27; p. 49, line 3; Figs. 7, 10, and 11.

(6) Yamazaki Claims 11 through 14, 19 through 26, and 31 through 34

Yamazaki Claims 11 through 14, 19 through 26, and 31 through 34 have been formulated upon the basis of Yamazaki Claims 15 through 18 or 27 through 30, but instead of reciting that the optical power of the second surface varies in accordance with an azimuth angle as in the latter sets of claims, they recite either:

(a) that the second surface has such a surface configuration that a surface configuration in a plane (YZ-plane) containing light rays turned back by the reflecting surface is different from a surface configuration in a XZ-plane perpendicular the YZ-plane; or

(b) the second surface is an anamorphic surface.

These recitations are supported by the disclosure identified above in Table A with respect to Claim 15, element (h).

D. Benefit of Earlier Applications

Applicant is entitled to the benefit of the following applications for proposed Counts 1 and 2:

(1) U.S. Patent Application No. 08/959,285 filed October 24, 1997 (the "'285 Application");

(2) U.S. Patent Application No. 08/478,688 filed June 7, 1995 (the "'688 Application");

(3) Japanese Patent Application No. 6-130301 filed June 13, 1994 (the "'301 Application"); and

(4) Japanese Patent Application No. 6-204268 filed August 5, 1994 (the "'268 Application").

In particular, the present application is a continued prosecution application under 37 CFR 1.53(d) of a divisional application under 37 CFR 1.53(b) of the '285 Application, which is a continuation application under former 37 CFR 1.62 of the '688 Application, and the specification and drawings of these applications as filed are identical, and each of the '285 Application and the '688 Application constitutes a constructive reduction to practice of the subject matter of proposed Counts 1 and 2, which are identical to Yamazaki Claims 15 and 18, respectively.

As shown by the following Tables B and C, respectively, the terms of proposed Counts 1 and 2 are also supported by each of the '301 and '268 Applications, thus establishing that each such application constitutes a constructive reduction to practice of the subject matter of the proposed counts (references in Table B are to the pages

and line numbers of the sworn English translations filed June 16, 1999).

TABLE B

<u>Count 1</u>	<u>'301</u>	<u>'268</u>
[1(a)] An image display apparatus comprising:	[1(a)] A display device is disclosed. See, e.g., p. 4, [0001], lines 4-5; p. 8, [0013], line 3; Figs. 1 through 5.	[1(a)] See, e.g., p. 8, [0001], line 2.
[1(b)] an image display device having a display surface for displaying an image; and	[1(b)] The display device includes a display means 4 composed of, for example, a liquid crystal display (LCD) device. See, e.g., p. 7, [0010], lines 4 through 7; Figs. 1 through 5.	[1(b)] See, e.g., p. 18, [0019], lines 2 through 4; Figs. 1 and 6 through 12.
[1(c)] an ocular optical system having	[1(c)] The display device also includes an optical system 3. See, e.g., p. 10, [0017], line 3; Figs. 1 through 5.	[1(c)] See, e.g., p. 18, [0020]; Figs. 1 through 3 and 6 through 12.

<p>[1(d)] a first surface provided at a position which faces an observer's eyeball,</p>	<p>[1(d)] A totally reflecting face 1 is included in the optical system. See, e.g., p. 7, [0010], lines 12 and 13; Figs. 1 through 5.</p>	<p>[1(d)] See, e.g., p. 18, [0020], lines 1 through 3; p. 20, [0022], lines 10 through 13; Figs. 1 through 3 and 6 through 12.</p>
<p>[1(e)] a second surface disposed to face said first surface such that a spacing between said first and second surfaces gradually increases toward said image display device from the observer's visual axis,</p>	<p>[1(e)] A concave mirror 2 is also included in the optical system. See, e.g., p. 7, [0010], lines 14 and 15; Figs. 1 through 5.</p>	<p>[1(e)] See, e.g., p. 18, [0020], lines 4 through 7; p. 20, [0022], lines 11 and 12; Figs. 1 through 3 and 6 through 12.</p>
<p>[1(f)] a third surface provided so that said third surface faces the display surface of said image display device, and that one end of said third surface intersects an extension of said first surface, and the other end of said third surface intersects an extension of said second surface, and</p>	<p>[1(f)] A light entrance face 5 is also included in the optical system. See, e.g., p. 13, [0025], line 1; Figs. 1 through 5.</p>	<p>[1(f)] See, e.g., p. 18, [0020], line 7.</p>

<p>[1(g)] a medium which is surrounded by said first, second and third surfaces, and which has a refractive index (n) larger than 1 (<math>n &gt; 1</math>);</p>	<p>[1(g)] A first optical member 3a of the optical system is provided with the totally reflecting face 1, the concave mirror 2, and the light entrance face 5, and is made of, e.g., acrylic resin or glass or a material with a refractive index greater than one. See, e.g., p. 7, [0010], lines 7 through 16; p. 19, [0037], lines 1 through 3; Figs. 1 through 5.</p>	<p>[1(g)] See, e.g., p. 18, [0020], lines 1 through 7; Numerical Examples 1 through 5.</p>
--	---	--

<p>[1(h)] said second surface being a reflecting surface that reflects light rays in said ocular optical system, wherein optical power of said second surface varies in accordance with an azimuth angle.</p>	<p>[1(h)] The concave mirror 2 has optical power depending on the azimuthal angle and may be, for example, a toric or anamorphic surface. See, e.g., p. 8, [0014], lines 12 through 14; p. 9, [0015], lines 1 through 4; p. 11, [0020], lines 6 through 8; p. 12, [0022]; p. 13, [0023] and [0024]; p. 19, [0035]; Numerical Examples 1 through 4.</p>	<p>[1(h)] See, e.g., p. 13, [0010]; p. 18, [0020], lines 5 through 7; p. 23, [0028], lines 12 through 15; p. 24, [0030], lines 1 through 7; p. 27, [0038]; p. 28, [0039]; Numerical Examples 1 through 5.</p>
---	--	---

TABLE C

<u>Count 2</u>	<u>'301</u>	<u>'268</u>
[2(a)] An image display apparatus comprising:	See 1(a)	See 1(a)
[2(b)] an image display device having a display surface for displaying an image; and	See 1(b)	See 1(b)
[2(c)] an ocular optical system having	See 1(c)	See 1(c)
[2(d)] a first surface provided at a position which faces an observer's eyeball,	See 1(d)	See 1(d)

[2(e)] a second surface disposed to face said first surface such that a spacing between said first and second surfaces gradually increases toward said image display device from the observer's visual axis,	See 1(e)	See 1(e)
[2(f)] a third surface provided so that said third surface faces the display surface of said image display device, and that one end of said third surface intersects an extension of said first surface, and the other end of said third surface intersects an extension of said second surface, and	See 1(f)	See 1(f)
[2(g)] a medium which is surrounded by said first, second and third surfaces, and which has a refractive index (n) larger than 1 ( $n > 1$ );	See 1(g)	See 1(g)
[2(h)] said second surface being a reflecting surface that reflects light rays in said ocular optical system, wherein optical power of said second surface varies in accordance with an azimuth angle,	See 1(h)	See 1(h)
[2(i)] wherein said third surface of said ocular optical system has a concave surface directed toward said image display device.	Numerical Examples 2 through 4 (surface i=5)	Numerical Examples 3 and 5 (surface i=5)

#### E. Summary of Proposed Interference

The following tables summarize Applicant's proposal for the interference, with Counts 1 and 2 as proposed above:

Applicant (Senior Party):	Shoichi Yamazaki
Application No.:	U.S. Patent Application No. 09/333,998 filed June 16, 1999
For:	HEAD-UP DISPLAY DEVICE WITH CURVED OPTICAL SURFACE HAVING TOTAL REFLECTION (AS AMENDED)
Assignee:	Canon Kabushiki Kaisha
Accorded Benefit (for Counts 1 and 2):	(1) U.S. Patent Application No. 08/959,285 filed October 24, 1997; (2) U.S. Patent Application No. 08/478,688 filed June 7, 1995; (3) Japanese Patent Application No. 6-130301 filed June 13, 1994; and (4) Japanese Patent Application No. 6-204268 filed August 5, 1994.
Claims corresponding to Count 1:	Claims 11 through 13, 15 through 17, 19 through 21, 23 through 25, 27 through 29, and 31 through 33
Claims corresponding to Count 2:	Claims 14, 18, 22, 26, 30, and 34



Patentee (Junior Party):	Koichi Takahashi
Application No.:	U.S. Patent Application No. 08/541,531 filed October 10, 1995, Patent No. 5,768,024 granted June 16, 1998
For:	IMAGE DISPLAY APPARATUS
Assignee:	Olympus Optical Co., Ltd.
Claims corresponding to Count 1:	Claims 13 through 16
Claims corresponding to Count 2:	Claim 17

#### CONCLUSION

Since the requirements of 37 CFR 1.607 have been satisfied, Applicant requests that an interference, with Counts 1 and 2 as proposed above, be declared between the present application and the '024 Patent. Applicant also respectfully requests senior party status by virtue of the earlier filing date. In addition, Applicant respectfully requests benefit for priority of the filing dates of the '285, '688, '301, and '268 Applications for proposed Counts 1 and 2.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

*Daniel H. Hweck*  
Attorney for Applicant  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

DSG\tnt